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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/705,522
	Filing Date	11/10/2003
	First Named Inventor	Jere F. Irwin
	Art Unit	3725
	Examiner Name	Mark Rosenbaum
Total Number of Pages in This Submission	Attorney Docket Number	IR3-065

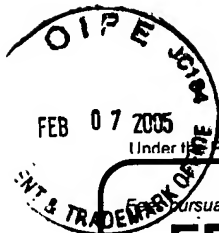
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return receipt postcard; check in the amount of \$180.00 for IDS
<input checked="" type="checkbox"/> Information Disclosure Statement with 3 foreign cited references	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Wells St. John P.S. (Customer No. 021567)		
Signature			
Printed name	Keith D. Grzelak		
Date	2/04/05	Reg. No.	37,144

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Terry J. Gruber	Date	2/4/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.
Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

Complete if Known

Application Number	107705,522
Filing Date	11/10/2003
First Named Inventor	Jere F. Irwin
Examiner Name	Mark Rosenbaum
Art Unit	3725
Attorney Docket No.	IR3-065

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 23-0925 Deposit Account Name: Wells St. John P.S.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
_____ - 20 or HP = _____	x _____	= _____
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
_____ - 3 or HP = _____	x _____	= _____
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Filing fee for IDS \$180.00

SUBMITTED BY		Registration No.	Telephone
Signature		(Attorney/Agent) <u>37,144</u>	<u>509/624-4276</u>
Name (Print/Type)	<u>Keith D. Grzelak</u>	Date	<u>2/04/05</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Inventor(s): Jere F. Irwin

Title: "Comminuting Apparatus"

Assignee: None

Attorney Docket No.: IR3-065

Serial No.: 10/705,522

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.56, 1.97 AND 1.98

In compliance with 37 C.F.R. §§ 1.56, 1.97 and 1.98, your attention is directed to the United States patents and other references listed on the attached Form PTO-1449. No admission is made regarding whether all the submitted references are prior art.

The listed references were cited by, or submitted to, the Office in the parent, co-pending application of the above-identified application. The above-identified application is a continuation application of co-pending application Serial No. 09/419,822, filed October 15, 1999, and which is now Patent No. 6,644,570 B1, issued November 11, 2003. Such prior disclosure is sufficient for the above-identified application as far as copies of the references are concerned. 37 C.F.R. § 1.98(d) and MPEP§ 609(2).

Citation of these references is respectfully requested.

Respectfully submitted,

Dated: 2/04/05

By: 

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02/09/2005 RFEKADU1 00000030 10750522 ✓

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02/11/2005 RFEKADU1 00000040 10705522

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Form PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. IR3-065		SERIAL NO. 10705,522	
LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT Jere F. Irwin			
				FILING DATE February 4, 2005		GROUP 3725	
U.S. PATENT DOCUMENTS							
*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA	5,893,523	04/13/99	Irwin	241	60	06/13/97
	AB	5,860,607	01/19/99	Irwin	241	80	01/08/97
	AC	5,836,527	11/17/98	Irwin, et al.	241	49	06/06/94 (PCT)
	AD	5,427,321	06/27/95	Takahashi, et al.	241	73	05/27/93
	AE	5,248,100	09/28/93	Arakawa	241	34	12/30/91
	AF	5,141,168	08/25/92	Pepper	241	236	01/03/92
	AG	5,039,020	08/13/91	Leuthold, et al.	241	30	12/21/89
	AH	4,687,144	08/18/87	Irwin, et al.	241	49	06/13/86
	AI	4,422,581	12/27/83	Chryst	241	66	01/15/81
	AJ	4,355,766	10/26/82	Wigand	241	222	10/17/80
	AK	4,321,027	03/23/82	Sloehr, et al.	425	216	06/18/79
	AL	4,161,296	07/17/79	Parker, et al.	241	152 A	06/09/78
	AM	4,134,556	01/16/79	Ehrlich, et al.	241	79.3	09/19/77
	AN	3,627,211	12/14/71	Leach	241	3	07/25/69
	AO	3,310,059	03/21/67	Grinzinger			09/28/64
	AP	3,229,698	01/18/66	Johansson, et al.			03/19/64
FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Subclasses	Translation	
						Yes	No
	AQ	WO 95/33566	12/14/95	PCT			
	AR	SU 1556-745-A	04/15/90				
	AS	DE 3614-028-A1	10/29/87				
OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, Etc.)							
	AT						
	AU						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Form PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. IR3-065	SERIAL NO. 10/705,522		
LIST OF ART CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT Jere F. Irwin			
				FILING DATE February 4, 2005	GROUP 3725		
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	BA	3,055,597	09/25/62	Mund			06/05/61
	BB	2,595,117	04/29/52	Ahlmann			03/06/51
	BC	745,176	02/22/56	Grinsted	50, 59		07/05/54
	BD						
	BE						
	BF						
	BG						
	BH						
	BI						
	BJ						
	BK						
	BL						
	BM						
	BN						
	BO						
	BP						
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclasses	Translation
							Yes No
	BQ						
	BR						
	BS						
OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, Etc.)							
	BT						
	BU						
EXAMINER				DATE CONSIDERED			
<small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							